MELINDA HAAG (CABN 132612) 1 United States Attorney 2 MIRANDA KANE (CABN 150630) 3 Chief, Criminal Division SUSAN PHAN (CABN 241637) 4 Special Assistant United States Attorney 5 450 Golden Gate Avenue, Box 36055 San Francisco, California 94102 6 Telephone: (415) 436-7200 Facsimile: (415) 436-7234 7 E-Mail: Susan.Phan@usdoj.gov 8 Attorneys for the Plaintiffs 9 10 UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA 11 SAN FRANCISCO DIVISION 12 13 UNITED STATES OF AMERICA, No. CR 11-0467 EMC 14 15 Plaintiff, 16 STIPULATION AND [PROPOSED] v. ORDER EXCLUDING TYME UNDER 18 17 JUAN HERNANDEZ IBARRA, U.S.C. § 3161 18 Defendant. 19 20 The defendant appeared before this Court on September 28, 2011. The defense requested 21 that this matter be continued to October 26, 2011. The parties have agreed to exclude the period 22 of time between September 28, 2011 to October 26, 2011, from any time limits applicable under 23 18 U.S.C. § 3161. Defense counsel represented that granting the exclusion would allow the 24 reasonable time necessary for effective preparation. See 18 U.S.C. § 3161(h)(7)(B)(iv). The 25 parties also agree that good cause exists, and that the ends of justice served by granting such an 26 exclusion of time outweigh the best interests of the public and the defendant in a speedy trial. 18 27 U.S.C. § 3161(h)(7)(A). At the hearing, the Court made findings consistent with this agreement. 28

STIPULATION & [PROPOSED] ORDER EXCLUDING TIME

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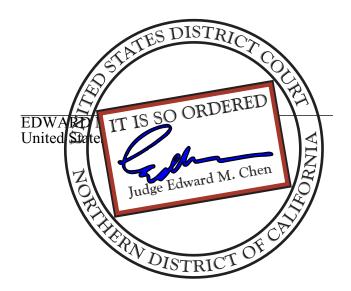
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3		MELINDA HAAG United States Attorney
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5	DATED: October 24, 2011	/s/ SUSAN PHAN
6		Susan Phan Special Assistant U.S. Attorney
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8	DATED: October 24, 2011	STEVEN KALAR
9		Attorney for JUAN HERNANDEZ-IBARRA
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	STIPULATION & [PROPOSED] ORDER EXCLUDING TIME CR 11-0467 EMC	

## 1 [PROPOSED] ORDER

For the reasons stated above at the September 28, 2011 status conference, the Court finds that the exclusion from the time limits applicable under 18 U.S.C. § 3161 of the period from September 28 to October 26, 2011 is warranted and that good cause exists, and the ends of justice served by the continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. §3161(h)(7)(A).

IT IS SO ORDERED.

DATED: October 27, 2011



STIPULATION & [PROPOSED] ORDER EXCLUDING TIME CR 11-0467 EMC